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DOC#:
DATE FILED: 4/8/2021

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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EUGENE THOMAS,

Plaintiff,

20 CIVIL 6024 (VEC)

-against-

JUDGMENT

DEUTSCHE BANK NATIONAL TRUST
COMPANY,

Defendant.

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It is hereby **ORDERED, ADJUDGED AND DECREED:** That for the reasons stated in the Court's Memorandum Opinion and Order dated April 8, 2021, the R&R is adopted in full. Defendant's motion to dismiss the complaint is GRANTED. Plaintiff's motion for leave to amend is DENIED. Because the R&R gave the parties adequate warning, Plaintiff's failure to file objections to the R&R precludes appellate review of this decision. See Caudor v. Onondaga County, 517 F.3d 601, 604 (2d Cir. 2008). Further, the Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from the Order would not be taken in good faith, and, therefore, permission to proceed in forma pauperis for purposes of appeal is denied. Cf. Coppedge v. United States, 369 U.S. 438, 444-45 (1962) (holding that appellant demonstrates good faith when seeking review of a non-frivolous issue); accordingly, the case is closed.

Dated: New York, New York
April 8, 2021

RUBY J. KRAJICK

BY:

Clerk of Court

K. Manzo

Deputy Clerk